

Cynthia Kawakami
07/31/02 10 11 AM

To: jdjeep@ameritech net
cc: bettho@northchicago com, bob7long@ind com,
cbucko@atg state il.us, ed kelly@mail house.gov,
Georgia Vlahos@cnet navy mil, robert darnell@usdoj gov,
robmay@northchicago org, sobel perry@hq navy mil
Subject: Re R Lavin Property

Dear Mr Jeep, as you may know, I was out of the office for the past few days. Therefore, I was unable to respond to your July 25, 2002 voice and e-mail messages until now. Please be advised that scheduling conflicts over the next two weeks make it impossible for me to meet with you and the City before the 8/13/02 date mentioned by DOJ attorney, Robert Darnell. Moreover, I would stress that it is important that all of the governmental agencies with interests regarding the R Lavin & Sons Inc. Site be present at the meeting that you are requesting with the agencies. U.S. EPA cannot properly represent the interests of the other governmental agencies at such meeting. Further, a meeting without the other agencies present could only promote confusion -- something that should be avoided. It is my understanding that, in a telephone conversation between the Mayor of North Chicago and U.S. EPA management, the City agreed that it was important to have all of the agencies present at the meeting that you are calling.

In your latest e-mail message, you indicated that you "hope that that the purpose of the meeting will be more than for the IEPA and USEPA to update the City on what they are doing." In response to that comment, I would ask that you provide the agencies with an outline or an agenda for the meeting that you are requesting with the agencies. An advance outline or agenda might help the discussions at the meeting, and, certainly, could not hurt matters. Thank you for your consideration.

"Jeffery D. Jeep" <jdjeep@ameritech net>



"Jeffery D. Jeep"
<jdjeep@ameritech.net>

07/25/02 05:39 PM
Please respond to
jdjeep

To: Cynthia Kawakami/R5/USEPA/US@EPA
cc: Ed Kelly <ed kelly@mail house gov>, Robert Long
<bob7long@ind com>, Rob May <robmay@northchicago org>,
Bette Thomas <bettho@northchicago com>, Robert Darnell
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<cbucko@atg state il us>, sobel perry@hq navy mil, Georgia
Vlahos <Georgia Vlahos@cnet navy mil>
Subject: R Lavin Property

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Dear Cynthia,

I am following-up on my voice mail this morning and at the suggestion of Ed Kelly, from Congressman Kirk's office, who has been in touch with the office of congressional liaison at Region V of the USEPA. You will recall that I circulated an email on July 9 (enclosed for your convenience). The responses we received were disappointing. The IEPA, USEPA and Navy are unable to meet until after 8/13/02.

The City of North Chicago has a developer that is ready to redevelop the Lavin property. The City will lose this opportunity if the City does not take title to the Lavin property in the very near future. Time is of the essence. In order for the redevelopment project to move forward, the City needs to know whether the IEPA or USEPA will institute judicial or administrative proceedings against the City if the City takes title to the Lavin property.



Given the limited resources of the bankruptcy estate, the most effective means to stabilize environmental conditions at the Lavin property (absent an infusion of cash from the State or United States) is for the City to move forward with its redevelopment plan. At present, the United States and State are pursuing claims against the bankruptcy estate for violations of various state and federal environmental laws, including CERCLA, RCRA and the Clean Water Act. The City does not question that the United States and State have legitimate claims against the bankruptcy estate. Given the limited resources of the estate, however, the City does question whether pursuit of those claims is the most effective means of stabilizing environmental conditions at, and facilitating the redevelopment of, the Lavin property. Candidly, we fear the current strategy will only squander the meager assets of the estate on legal fees and result in the abandonment of the Lavin property. Worse, a strategy which places too strong an emphasis on litigation will result in the City losing an historic opportunity and gaining an environmental mess when the USEPA and IEPA move on to other matters.

The City, State and United States need to work together. The City hopes that we will meet soon. We also hope that the purpose of the meeting will be more than for the IEPA and USEPA to update the City on what they are doing. We hope the meeting will result in a common strategy to achieve our mutual objectives.

Vacations schedules aside, can we try to meet in the next 10 days?

Please give me a call at your earliest convenience.

Jeffery D. Jeep

Principal

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Thank you for your cooperation.

----- Message from "Michelle Cassell" <mcasselljdg@ameritech.net> on Tue, 9 Jul 2002 14:42:20 -0500 -----

To: "Georgia Vlahos" <georgia.vlahos@cnet.navy.mil>, "Christine Bucko" <cbucko@atg.state.il.us>

Subject: FW: Strategy Regarding Cleanup and Redevelopment of the Lavin Property in North Chicago, Illinois

To: Don Gimbel, IEPA via email